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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 ROBERT ANTHONY SMITH,

9 Petitioner,

3:08-cv-00335-RCJ-WGC

10 vs.

ORDER

11 RENEE BAKER, *et al.*,

12 Respondents.
13 _____/

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15 In this habeas corpus action, the petitioner, Robert Anthony Smith, filed a first amended
16 petition for writ of habeas corpus (ECF No. 20) on April 20, 2009. On June 9, 2009, the case was
17 stayed, upon a stipulation of the parties, to allow Smith to exhaust claims in state court (ECF Nos.
18 31, 32). The stay was lifted on March 18, 2011 (ECF No. 37). Respondents then filed a motion to
19 dismiss, and the court ruled on that motion on November 4, 2011, granting it in part and denying it
20 in part, and dismissing three of the claims in Smith's first amended habeas petition (Grounds 4, 5
21 and 7) (ECF No. 46). Respondents filed an answer on February 3, 2012, responding to Smith's
22 remaining claims (ECF No. 52). Smith filed a reply on May 17, 2012 (ECF No. 59).

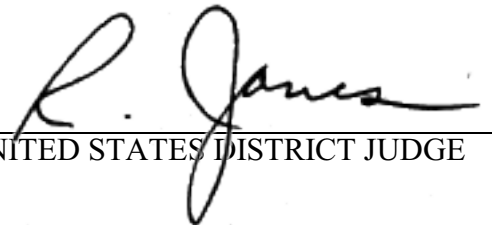
23 Between October 2013 and September 2014, the progress of the case was delayed by
24 proceedings regarding Smith's representation (ECF Nos. 62, 63, 64, 65, 66). Ultimately, Smith's
25 counsel filed a motion to withdraw (ECF No. 64), which was granted (ECF No. 65), and the court
26 appointed new counsel for Smith (ECF No. 66).

1 The court then granted Smith's new counsel time to become familiar with the case, and
2 determine whether further amendment of Smith's petition was necessary (ECF Nos. 66, 67, 68, 69,
3 70). On June 12, 2015, Smith's counsel filed a notice (ECF No. 73) stating that Smith will not file a
4 second amended petition.

5 In view of the time that has passed since respondents' answer and Smith's reply were filed,
6 the court will grant the parties an opportunity to supplement that briefing, if necessary, before the
7 court addresses the merits of the remaining claims in Smith's first amended habeas petition.

8 **IT IS THEREFORE ORDERED** that respondents shall have **30 days** from the date of entry
9 of this order to file and serve a supplement to their answer and/or a surreply, if they deem it
10 necessary to do so. Thereafter, petitioner shall have **30 days** from the date on which respondents file
11 and serve such document, or from the due date for that document if one is not filed, to file and serve
12 a supplement to his reply and/or a response to a surreply. *The court will not look favorably upon any*
13 *motion to extend these deadlines.*

14 Dated this 16th day of June, 2015.

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17 UNITED STATES DISTRICT JUDGE
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